IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 8TH AUGUST 2007 / 17TH SRAVANA 1929

WP(C).No. 19777 of 2007(D)

PETITIONER:

S.FRANCIS, RAJESH BHAVAN,
KANAVOORKONAM, MANNAMKONAM P.O.,
THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.M.V.BOSE
SRI.VINOD MADHAVAN
SMT.NISHA BOSE

RESPONDENTS:

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1. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES, THIRUVANANTHAPURAM.

2. THE SPECIAL SALE OFFICER,
NEYYATTINKARA PRIMARY CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD.
NO.T 417,NEYYATTINKARA.

3. NEYYATTINKARA PRIMARY CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD.
NO.T 417, NEYYATTINKARA, REPRESENTED BY ITS SECRETARY.

R3 BY ADV. SRI.V.G.ARUN
SRI.T.R.HARIKUMAR
R1 & R2 BY GOVT. PLEADER SRI. P.K. RAVIKRISHNAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 19777/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 :TRUE COPY OF ORDER DATED 1.10.1992 OF THE 2ND RESPONDENT.

EXT. P2 : TRUE COPY OF THE ORDER DATED 1/10/1992 OF THE 2ND RESPONDENT.

EXT. P3 : TRUE COPY OF THE ORDER DATED 1/10/1992 OF THE 2ND RESPONDENT.

EXT. P4 : TRUE COPY OF THE RECEIPT DATED 27.1.1994 ISSUED TO THE PETITIONER.

EXT. P5 : TRUE COPY OF THE RECEIPT DATED 2/3/2000 ISSUED TO PETITIONER.

EXT. P6 : TRUE COPY OF NOTICE DATED 4.1.2003 ISSUED TO THE PETITIONER FROM THE 2ND RESPONDENT.

EXT. P7 : TRUE COPY OF NOTICE DATED 17.3.2004 FROM THE NEYYATTINKARA PRIMARY CO-OPERATIVE AGRL. RURAL DEVELOPMENT BANK.

EXT. P8 : TRUE COPY OF AUCTION NOTICE DATED 21.5.2007 ISSUED BY 2ND RESPONDENT TO THE PETITIONER.

EXT. P9 : TRUE COPY OF LETTER DATED 4.6.2007 FROM THE PETITIONER.

K.M.JOSEPH, J.

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WP.(C) No.19777 of 2007

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Dated this the 8th day of August, 2007

JUDGMENT

Petitioner availed a loan. It was not repaid. Proceedings were initiated. Petitioner approached this court.

2. I heard learned counsel for the petitioner and the respondent Bank. Counsel for the respondent Bank submits that the Bank has its own Scheme and even though the term has expired, if amounts are paid in terms of that Scheme, the loan can be closed. According to the petitioner he has already remitted Rs.1,24,000/-.

In such circumstances, the writ petition is disposed of as follows:

If the petitioner files a representation within ten days from today seeking the benefit of the said scheme, a decision will be taken by the third respondent within one month from the date of receipt of the said representation. Till such time as a decision is taken, the proceedings shall be kept in abeyance.

(K.M. JOSEPH, JUDGE)

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